

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ESPN, INC.,

Plaintiff,

v.

QUIKSILVER, INC.,

Defendant.

08 Civ. 4222 (CM) (MHD)  
ECF Case

**DEFENDANT AND  
COUNTERCLAIMANT  
QUIKSILVER, INC.'S NOTICE OF  
MOTION AND MOTION FOR  
TRANSFER OF VENUE TO THE  
CENTRAL DISTRICT OF  
CALIFORNIA PURSUANT TO  
28 U.S.C. § 1404(A)**

QUIKSILVER, INC.,

Counterclaimant,

v.

ESPN, INC.,

Counterdefendant.

PLEASE TAKE NOTICE THAT defendant and counterclaimant Quiksilver, Inc. (“Quiksilver”) will, and hereby does, move this Court for an order transferring the above-captioned case to the Central District of California pursuant to 28 U.S.C. § 1404(a). This Motion is made on the grounds that 1) this action could have been brought in the Central District of California because Quiksilver is headquartered in that District, and Plaintiff ESPN, Inc. maintains a west coast headquarters there, and 2) transfer is appropriate based on the convenience of the witnesses and parties, as well as the interests of justice.

Pursuant to Local Civil Rule 6.1(c), no hearing has been set for this Motion unless the Court so orders. Pursuant to this Court’s Chamber Rule 2(E), oral argument may be requested by letter by either party at the time of filing of opposition or reply papers.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Local Civil Rule 6.1(b), and this Court's Chamber Rule 2(D), any papers in opposition to this Motion shall be filed and served within ten (10) business days after service of this Motion.

Dated: Costa Mesa, California

June 16, 2008

LATHAM & WATKINS LLP

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Attorneys for Defendant  
and Counterclaimant  
*Quiksilver, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 16, 2008, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System.

I further certify that on this same date, I caused the attached document to be hand delivered as a Chambers Copy to:

Hon. Colleen McMahon  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St., Room 640  
New York, NY 10007

I further certify that on this same date, I caused the attached document to be sent via email and overnight delivery to:

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/s/ Mark A. Finkelstein  
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